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9 **UNITED STATES BANKRUPTCY COURT**
10
10 **EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION**

11 In re Case No. 08-10158
12 LINDA A. GONZALES, Chapter 7
13 Debtor. DC No.: PD-1

14
14 **EX PARTE MOTION TO**
15 **REOPEN BANKRUPTCY CASE**

16
16 **Hearing:** [No Hearing Required]

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19 Citifinancial Inc (the "Movant"), by and through its undersigned counsel, hereby moves
20 this Court pursuant to sections 105(a) and 350(b) of title 11 of the United States Code (the
21 "Bankruptcy Code"), Federal Rules of Bankruptcy Procedure 5010, and Local Bankruptcy Rule
22 5010-1 (the "Bankruptcy Rules") for entry of an order reopening the above-captioned bankruptcy
23 case for the limited purpose of allowing Movant to file the Redaction Motion (as defined below)
24 and to implement the relief requested therein based on the following grounds:

25 1. Movant filed a document that now appears on the Court's docket or claims
26 register in which Movant imperfectly redacted certain confidential customer information
27 contained therein (the "Designated Filing").

28 /./.

1 2. In order to remediate the Designated Filing, Movant hereby seeks authority
2 pursuant to sections 105(a) and 350(b) of the Bankruptcy Code and Bankruptcy Rules 5010 and
3 5010-1 to reopen the above-captioned case for the limited purpose of allowing Movant to file a
4 motion (the "Redaction Motion"), pursuant to which it will request that the Court, inter alia,
5 restrict remote electronic access to the Designated Filing and authorize the filing of a corrected
6 replacement filing (the "Replacement Filing"). Except for the correction of any imperfectly
7 redacted customer information, the Replacement Filing will be identical to the Designated Filing
8 in all respects.

9 3. The decision to reopen a case is left to the discretion of the Court. *In re Coogan*,
10 36 B.R. 621, 623 (Bankr. S.D. Ohio 1984). "The effect of [§ 350(b)] is merely to resurrect the
11 court file from the stacks of the closed cases, or even from the archives, to enable it to receive a
12 new request for relief." *In re David*, 106 B.R. 126, 128 (Bankr. E.D. Mich. 1989); *In re Leach*,
13 194 B.R. 812, 815 (Bankr. E.D. Mich. 1996) ("The reopening of a case is of no independent
14 legal significance or consequence."). For the reasons set forth above, Movant submits that there
15 is ample cause to reopen the case in order to permit Movant to file the Redaction Motion and to
16 protect the information contained in the Designated Filing.

17 4. Movant further respectfully requests that the Court re-close this case immediately
18 following completion of the relief requested in the Redaction Motion.

19 WHEREFORE, Movant prays for an Order from the Court granting Movant's Motion for
20 the limited purpose of allowing it to file the Redaction Motion in the above-captioned case.

21 || Respectfully submitted,

PITE DUNCAN, LLP

24 | Dated: May 17, 2013

/s/ Robert P. Zahradka

ROBERT P. ZAHRADKA

ROBERT F. ZAHN & ASSOCIATES
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